

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>In re</b>	:	<b>Chapter 11</b>
	:	
<b>TenX Biopharma, Inc.,</b>	:	
	:	
<b>Debtor.</b>	:	<b>Case No. 10-18968 (JKF)</b>

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**ORDER ON SEVERANCE FOR GARDINER SMITH**

**AND THIS** 21st day of September, 2012, upon consideration of the First Omnibus Objection to Proof of Claim ("Omnibus Objection") filed by the Debtor TenX Biopharma, Inc. (the "Debtor") to the inclusion by Gardiner Smith of \$250,000 in severance pay in his Proof of Claim and following a hearing on this matter on February 21, 2012 and following the parties' filing of post-hearing briefs, it is hereby **ORDERED** and **DECREED** that:

1. Subject to the conditions of this Order, Smith is entitled to a claim for severance pay ("Severance") in the amount of \$125,000.
2. The Debtor shall have seven (7) days from the date of this Order to send Smith, by overnight mail, a release of claims form similar to Exhibit B of the Court's Order, dated March 23, 2012.
3. In the event the Debtor complies with paragraph 2, then Smith shall execute the release of claims form and return it to the Debtor's counsel, by overnight mail, within seven (7) days from his receipt of such form; otherwise, Smith forfeits his right to Severance. However, if the Debtor fails to comply with paragraph 2 of this Order, then Smith shall have no obligation to provide a release of claims form to the Debtor and shall still be entitled to a claim for Severance in the amount of \$125,000.

4. This Order shall have no effect on any order previously issued by the Court.
5. This Court shall retain jurisdiction over the Debtor and Smith with respect to any matters related to or arising from the implementation of this Order.



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HONORABLE JEAN K. FITZSIMON  
United States Bankruptcy Judge

Copies to:

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